

IN RE: PETITIONS FOR SPECIAL HEARING  
AND VARIANCE – N & E/S Greenbriar  
Way, 280', 580' & 790' N of the c/l of  
Bird River Road (2 Holly Leaf Court and  
1 and 33 Greenbriar Way)  
15<sup>th</sup> Election District  
6<sup>th</sup> Councilmanic District  
  
Bird River LLC  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Cases Nos. 99-225-SPHA,  
99-226-SPHA, and 99-227-SPHA  
\*

\* \* \* \* \*

AMENDED ORDER

WHEREAS, this matter came before this Deputy Zoning Commissioner for consideration of companion Petitions for Special Hearing and Variance filed by the owners of the subject properties, Bird River L.L.C., by Carl F. Wagner, Partner, seeking approval of an amendment to the Last Recorded Final Development Plan for Greenbriar at White Marsh, and variance relief from Section 1B01.2.C.1.c (Chart) of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: In Case No. 99-225-SPHA, a side yard setback of 24 feet in lieu of the required 25 feet is requested for a proposed dwelling on Lot 42 (2 Holly Leaf Court); in Cases Nos. 99-226-SPHA and 99-227-SPHA, side yard setbacks of 24 feet each in lieu of the required 25 feet are requested for proposed dwellings on Lots 84 and 100 (33 and 1 Greenbriar Way, respectively). The subject properties and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Carl Wagner, a representative of the Bird River L.L.C., and Thomas A. Church, Professional Engineer who prepared the site plans of these properties. There were no Protestants or other interested persons present.

Testimony and evidence presented at the hearing revealed that the subject properties are located in the residential subdivision known as Greenbriar at White Marsh, which was approved many years ago as a 100-lot subdivision of single family townhouse dwelling units; however, the

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Date 2/11/99

site was never developed. The Petitioners recently purchased the property with the intention of developing same as originally proposed; however in reviewing the previously approved plan, it was determined that three of the lots, namely, Lots 42, 84 and 100 as described above, did not meet side yard setback requirements. Thus, the instant Petitions were filed to bring these lots into compliance with the zoning regulations, before constructing any homes.

Furthermore, the Petitioners indicated at the hearing that they were considering some minor modifications to the proposed dwellings to allow for the potential of a second floor bay window in the front bedroom of any unit and an increased width from 18 feet to 20 feet for all end units. The Petitioners indicated that they intended to present a revised development plan to the Development Review Committee (DRC) for review and approval, and that additional variances might be necessary if the revised plan was approved. By Order issued January 19, 1999, I granted the special hearing and variance relief for Lots 42, 84 and 100 as requested.

Subsequent to the hearing, the Petitioners submitted a revised development plan of this project, which included the modifications set forth above, to the DRC for their review and approval. By letter dated February 2, 1999, the Petitioners advised this Deputy Zoning Commissioner that they had obtained DRC approval of the revised development plan and thus, an amendment of the prior Order issued by me in this matter was necessary to reflect those modifications. A copy of the revised development plan was submitted with their letter and has been marked as Petitioner's Exhibit 1A. Inasmuch as the revised plan marked as Petitioner's Exhibit 1A has received DRC approval, and the fact that there were no Protestants at the hearing, I am persuaded to grant the Petitioner's request.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 11<sup>th</sup> day of February, 1999 that the Order issued January 19, 1999 be and the same shall hereby be AMENDED as follows: the Petitions for Special Hearing filed in


companion Cases Nos. 99-225-SPHA, 99-226-SPHA, and 99-227-SPHA, seeking approval of an amendment to the development plan for Greenbriar at White Marsh, in accordance with the Second Amended Final Development Plan for Greenbriar at White Marsh, marked as Petitioner's Exhibit 1A, be and are hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitions for Variance seeking relief from Section 1B01.2.C.1.c (Chart) of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: a side yard setback of 24 feet in lieu of the required 25 feet for Lot 42 (2 Holly Leaf Court), and side yard setbacks of 24 feet in lieu of the required 25 feet each for Lots 84 and 100 (33 and 1 Greenbriar Way, respectively), in accordance with Petitioner's Exhibit 1A, be and are hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.2.C.1.c of the B.C.Z.R. to permit front yard setbacks of 13 feet in lieu of the required 15 feet for Lots 1, 5, 7, 9, 11, 13, 15, 18, 22, 24, 27, 32, 34, 36, 47, 48, 54, 61, 65, 66, 67, 69, 70, 72, 74, 75, 77, 79, 81, 83, 85, 87, 89, 95, 97 and 99, and side yard setbacks of 14 feet in lieu of the required 15 feet for Lots 15, 27, 28, 36, 41, 48, 61, 62, 69, 74, 75, 89 and 90, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that a variance from Section 1B01.2.C.1.c of the B.C.Z.R. to permit side yard setbacks of 11 feet for Lot 37, 5 feet for Lot 94, and 9 feet for Lot 95, in lieu of the required 15 feet each, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that all other terms and conditions of the Order issued January 19, 1999 shall remain in full force and effect.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Carl Wagner, Bird River L.L.C.

P.O. Box 404, Brooklandville, Md. 21022

Mr. Thomas A. Church, Development Engineering Consultants, Inc.

6603 York Road, Baltimore, Md. 21212

People's Counsel; Case File

IN RE: PETITIONS FOR SPECIAL HEARING  
AND VARIANCE – N & E/S Greenbriar  
Way, 280', 580' & 790' N of the c/l of  
Bird River Road (2 Holly Leaf Court and  
1 and 33 Greenbriar Way)  
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Bird River LLC  
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\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Cases Nos. 99-225-SPHA,  
99-226-SPHA, and 99-227-SPHA  
\*

\* \* \* \* \*

### FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as companion Petitions for Special Hearing and Variance filed by the owners of the subject properties, Bird River L.L.C., by Carl F. Wagner, Partner. The Petitioners request approval of an amendment to the Last Recorded Final Development Plan for Greenbriar at White Marsh, and variance relief from Section 1B01.2.C.1.c (Chart) of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: In Case No. 99-225-SPHA, a side yard setback of 24 feet in lieu of the required 25 feet is requested for a proposed dwelling on Lot 42 (2 Holly Leaf Court); in Cases Nos. 99-226-SPHA and 99-227-SPHA, side yard setbacks of 24 feet each in lieu of the required 25 feet are requested for proposed dwellings on Lots 84 and 100 (33 and 1 Greenbriar Way, respectively). The subject properties and relief sought are more particularly described on the site plan submitted which was accepted into evidence and marked as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petitions were Carl Wagner, a representative of the Bird River L.L.C., and Thomas A. Church, Professional Engineer who prepared the site plans of these properties. There were no Protestants or other interested persons present.

Testimony and evidence offered revealed that the subject properties are located within the residential subdivision known as Greenbriar at White Marsh, which was approved many years

DATE RECEIVED FOR FILING  
Date 1/19/99

ago as a 100-lot subdivision of single family townhouse dwelling units and was never developed. Mr. Wagner testified that the Petitioners recently purchased the property and intend to commence development of the site with 100 townhouses as proposed; however, in reviewing the plan, it was determined that three of the lots, namely, Lots 42, 84 and 100, do not meet the required side yard setbacks. Thus, Mr. Wagner has filed the special hearing and variance relief to bring these lots into compliance with the zoning regulations, before he commences construction of the homes.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether a grant of the variance would do a substantial justice to the applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give sufficient relief; and,
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

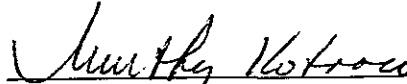
After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the special hearing and variance relief are not granted. It has been established that special circumstances or conditions exist that are peculiar to the subject properties and that strict compliance with the zoning regulations would unduly restrict the use of the land due to the special conditions unique to these particular parcels. In addition, the relief requested will not cause any injury to the public health, safety or general welfare, and meets the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing and variance requests should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 19<sup>th</sup> day of January, 1999 that the Petitions for Special Hearing filed in companion Cases Nos. 99-225-SPHA, 99-226-SPHA, and 99-227-SPHA, seeking approval of an amendment to the development plan for Greenbriar at White Marsh, specifically, Lots 42, 84, and 100 thereof, in accordance with Petitioner's Exhibit 1, be and are hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petitions for Variance seeking relief from Section 1B01.2.C.1.c (Chart) of the Baltimore County Zoning Regulations (B.C.Z.R.) as follows: a side yard setback of 24 feet in lieu of the required 25 feet for Lot 42 (2 Holly Leaf Court), and side yard setbacks of 24 feet in lieu of the required 25 feet each for Lots 84 and 100 (33 and 1 Greenbriar Way, respectively), in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until the 30-day appeal period from the date of this Order has expired. If an appeal is filed and this Order is reversed, the relief granted herein shall be rescinded.

  
TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

ORDER RECEIVED FOR FILING  
Date 1/19/99  
By [Signature]



Baltimore County  
Zoning Commissioner  
Office of Planning

Suite 405, County Courts Bldg.  
401 Bosley Avenue  
Towson, Maryland 21204  
410-887-4386

January 19, 1999

Mr. Carl Wagner  
Bird River L.L.C.  
P.O. Box 404  
Brooklandville, Maryland 21022

RE: PETITIONS FOR SPECIAL HEARING AND VARIANCE  
N and E/S Greenbriar Way, 280' N of the c/l Bird River Road  
(2 Holly Leaf Court, 1 and 33 Greenbriar Way)  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Bird River LLC - Petitioners  
Cases Nos. 99-225-SPHA, 99-226-SPHA & 99-227-SPHA

Dear Mr. Wagner:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petitions for Special Hearing and Variance have been granted, in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

A handwritten signature in cursive script, reading "Timothy Kotroco".

TIMOTHY M. KOTROCO  
Deputy Zoning Commissioner  
for Baltimore County

TMK:bjs

cc: Mr. Thomas A. Church  
Development Engineering Consultants, Inc.  
6603 York Road, Baltimore, Md. 21212

People's Counsel; Case File



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at # 33 GREENBRIAR WAY

which is presently zoned DR-3.5

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1B01.2.C.1.c (Chart.) To Permit a 23 Ft. Side Yard Setback in lieu of the Required 25 Ft.

And Special Hearing to Amend the Last Recorded Final Development of the Zoning Regulations of Baltimore County, to the zoning law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) TO ALLOW A SIDE SETBACK OF 23' FROM THE RIGHT-OF-WAY OF GREENBRIAR WAY IN LIEU OF THE REQUIRED 25'. THE OWNER DESIRES TO MAINTAIN A STANDARD 20' WIDE END OF GROUP TOWNHOUSE WHICH WOULD NOT BE POSSIBLE WITH THE 25' SETBACK.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

## Contract Purchaser/Lessee:

Name - Type or Print  
Signature  
Address Telephone No.  
City State Zip Code

## Attorney For Petitioner:

Name - Type or Print  
Signature  
Company  
Address Telephone No.  
City State Zip Code

## Legal Owner(s):

BIRD RIVER L.L.C.  
Name - Type or Print  
Signature  
CARL F. WAGNER, PARTNER  
Name - Type or Print  
Signature

P.O. BOX 404 410/841-0049  
Address Telephone No.  
BROOKLANDVILLE MD 21022  
City State Zip Code

## Representative to be Contacted:

THOMAS A. CHURCH, P.E.  
DEVELOPMENT ENGINEERING  
Name CONSULTANTS, INC.  
6603 YORK ROAD 410/377-2600  
Address Telephone No.  
BALTIMORE MD 21212  
City State Zip Code

## OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

UNAVAILABLE FOR HEARING  
Reviewed By Date

226

ORDER RECEIVED FOR FILING

Date

Case No. 99-226 SPHA

9/15/98



ZONING DESCRIPTION

FOR

#33 GREENBRIAR WAY

Beginning at a point on the east side of Greenbriar way which is variable (50 feet minimum) width at the distance of 580 feet north of the centerline of the nearest improved intersecting street Bird River Road which is 70 feet wide. Being Lot #84, Section A in the subdivision of Greenbriar at White Marsh as recorded in Baltimore County Plat Book No. 69, Folio No. 135, containing 4,432 square feet. Also known as #33 Greenbriar Way and located in the 15th Election District, 6th Councilmanic District.

97-103

11/16/98



99-226-SPHA<sup>226</sup>

**NOTICE OF ZONING  
HEARING**

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing in Towson, Maryland on the property identified herein as follows:

Case: #99-226-SPHA  
33 Greenbriar Way  
E/S Greenbriar Way, 550' N of  
centerline Bird River Road  
15th Election District  
6th Councilmanic District  
Legal Owner(s): Bird River  
LLC

**Special Hearing:** to amend  
the latest recorded final Development Plan. **Variance:** to  
permit a side yard setback of  
23 feet in lieu of the required  
25 feet.

**Hearing:** Monday, January  
11, 1999 at 2:00 p.m. in  
Room 407, County Courts  
Bldg., 401 Bosley Avenue.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for  
Baltimore County

NOTES: (1) Hearings are  
Handicapped Accessible; for  
special accommodations  
Please Call (410) 887-3353.

(2) For information concerning  
the File and/or Hearing,  
Please Call (410) 887-3391.

12/296 Dec. 24 C280848

## CERTIFICATE OF PUBLICATION

TOWSON, MD., 2/23/, 1998

THIS IS TO CERTIFY, that the annexed advertisement was  
published in THE JEFFERSONIAN, a weekly newspaper published  
in Towson, Baltimore County, Md., once in each of 1 successive  
weeks, the first publication appearing on 2/23/, 1998.

THE JEFFERSONIAN,

*A. Henrichson*

LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND  
OFFICE OF BUDGET & FINANCE  
MISCELLANEOUS RECEIPT

No. 062387

DATE 11-30-98 ACCOUNT R-001-G100

AMOUNT \$ 650

RECEIVED FROM: DEFICIENT ENGINEERING  
3 LOTS - VARIANCE COM. LOTS 42, 54, & 100 GREENBRIAR AT WHITE CREST.  
FOR: 33 GREENBRIAR WAY, 1 GREENBRIAR WAY, 2 HILL CREST.  
3 LOTS - \$650  
TOTAL \$650

DISTRIBUTION  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

PAID RECEIPT

PROCESS ACTUAL TIME  
11/30/1998 11/30/1998 11:32:34  
PSS 0605 CASHIER LSHI LXS DAMEP  
5 MISCELLANEOUS CASH RECEIPT  
Receipt # 085414  
CP NO. 062387

6.50 CHECK  
Baltimore County, Maryland

99-226-SPHA

CASHIER'S VALIDATION

**CERTIFICATE OF POSTING**

RE: Case # 99-226-SPHA  
Petitioner/Developer:  
(Bird River LLC)  
Date of Hearing/~~Closing~~:  
(Jan 11, 1999)

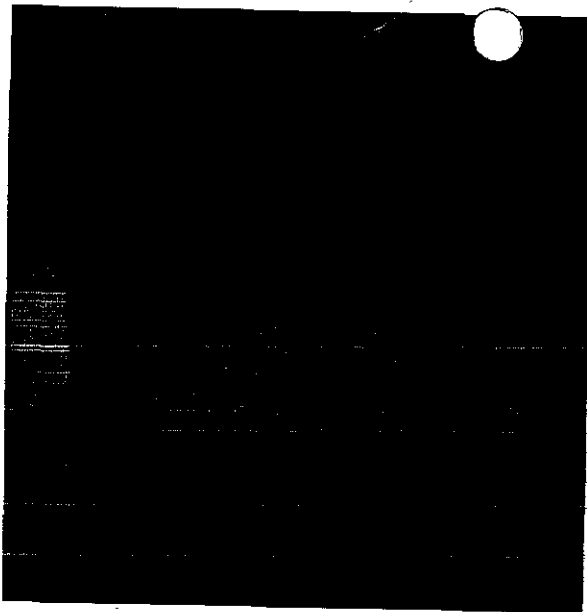
Baltimore County Department of  
Permits and Development Management  
County Office Building, Room 111  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Attention : Ms. Gwendolyn Stephens

Ladies and Gentleman:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by  
law were posted conspicuously on the property located at \_\_\_\_\_  
33 Greenbriar Way Baltimore, Maryland 21220 \_\_\_\_\_

The sign(s) were posted on \_\_\_\_\_ Dec. 26, 1998 \_\_\_\_\_  
(Month, Day, Year)



Sincerely,

  
(Signature of Sign Poster & Date)

\_\_\_\_\_  
Thomas P. Ogle, Sr.

\_\_\_\_\_  
325 Nicholson Road

\_\_\_\_\_  
Baltimore, Maryland 21221

\_\_\_\_\_  
(410)-687-8405  
(Telephone Number)

RE: PETITION FOR SPECIAL HEARING  
PETITION FOR VARIANCE  
33 Greenbriar Way, E/S of Greenbriar Way,  
550' N of c/I Bird River Rd, 15th Election District,  
6th Councilmanic

Legal Owners: Bird River LLC

Petitioner(s)

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* FOR  
\* BALTIMORE COUNTY  
\* Case Number: 99-226-SPHA

\* \* \* \* \*

**ENTRY OF APPEARANCE**

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates of other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman  
PETER MAX ZIMMERMAN  
People's Counsel for Baltimore County

Carole S. Demilio  
CAROLE S. DEMILIO  
Deputy People's Counsel  
Old Courthouse, Room 47  
400 Washington Avenue  
Towson, MD 21204  
(410) 887-2188

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 31<sup>st</sup> day of December, 1998, a copy of the foregoing Entry of Appearance was mailed to Thomas A. Church, P.E., Development Engineering Consultants, Inc., 6603 York Road, Baltimore, MD 21212, representative for Petitioner(s).

Peter Max Zimmerman  
PETER MAX ZIMMERMAN



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

December 14, 1998

## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-226-SPHA  
33 Greenbriar Way  
E/S Greenbriar Way, 550' N of centerline Bird River Road  
15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District  
Legal Owner: Bird River LLC

Special Hearing to amend the latest recorded final Development Plan. Variance to permit a side yard setback of 23 feet in lieu of the required 25 feet.

HEARING: Monday, January 11, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue

A handwritten signature in cursive script, appearing to read "Arnold Jablon", with the number "41" written below it.

Arnold Jablon  
Director

c: Bird River LLC  
Development Engineering Consultants, Inc.

- NOTES: (1) **YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY DECEMBER 27, 1998.**  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 410-887-3391.

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



Printed with Soybean Ink  
on Recycled Paper

TO: PATUXENT PUBLISHING COMPANY  
December 24, 1998 Issue – Jeffersonian

Please forward billing to:

Development Engineering Consultants, Inc.  
6603 York Road  
Baltimore, MD 21212

410-377-2600

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## NOTICE OF ZONING HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing in Towson, Maryland on the property identified herein as follows:

CASE NUMBER: 99-226-SPHA

33 Greenbriar Way

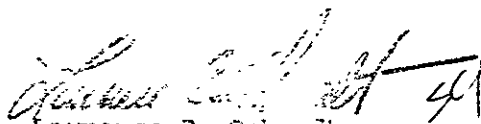
E/S Greenbriar Way, 550' N of centerline Bird River Road

15<sup>th</sup> Election District – 6<sup>th</sup> Councilmanic District

Legal Owner: Bird River LLC

Special Hearing to amend the latest recorded final Development Plan. Variance to permit a side yard setback of 23 feet in lieu of the required 25 feet.

HEARING: Monday, January 11, 1999 at 2:00 p.m. in Room 407, County Courts Building, 401 Bosley Avenue



Lawrence E. Schmidt

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 410-887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 410-887-3391.

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT  
ZONING REVIEW

ADVERTISING REQUIREMENTS AND PROCEDURES FOR ZONING HEARINGS

The Baltimore County Zoning Regulations (BCZR) require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of the petitioner) and placement of a notice in a newspaper of general circulation in the County, both at least fifteen (15) days before the hearing.

Zoning Review will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements. The newspaper will bill the person listed below for the advertising. This advertising is due upon receipt and should be remitted directly to the newspaper.

OPINIONS MAY NOT BE ISSUED UNTIL ALL ADVERTISING COSTS ARE PAID.

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**For Newspaper Advertising:**

Item Number or Case Number: 99-226  
Petitioner: Development Engineering  
Address or Location: 6603 York Rd. #33 Greenbaum

**PLEASE FORWARD ADVERTISING BILL TO:**

Name: Development Engineering  
Address: 6603 York Rd.  
Baltimore, Md. 21212  
Telephone Number: (410) 377-2600

Revised 2/20/98 - SCJ

226  
99-226-SPHA



Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than 12-13-98

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: 99-226-A

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: TO PERMIT A 23-FT. SIDEYARD SETBACK.  
IN LIEU OF THE REQUIRED 25 FT. TO A SIDE  
STREET.

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE

226  
99-226-SPHA



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204  
pdmlandacq@co.ba.md.us

January 7, 1999

Thomas A. Church, P.E.  
Development Engineering Consultants, Inc.  
6603 York Road  
Baltimore, MD 21212

RE: Item No.: 226  
Case No.: 99-226-SPHA  
Location: 33 Greenbriar Way

Dear Mr. Church:

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on November 30, 1998.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in cursive script, reading "W. Carl Richards, Jr.", written in dark ink.

W. Carl Richards, Jr.  
Zoning Supervisor  
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at [www.co.ba.md.us](http://www.co.ba.md.us)



BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director  
Permits and Development Management

DATE: 12/23/92

FROM: R. Bruce Seeley, Project Manager *ABS/jp*  
Development Coordination  
DEPRM

SUBJECT: Zoning Advisory Committee

Distribution Meeting Date:

The Department of Environmental Protection and Resource Management has  
no comments for the following Zoning Advisory Committee Items:

Item #'s: 222 231  
223  
225  
226  
227  
228  
232  
233  
234

B A L T I M O R E   C O U N T Y,   M A R Y L A N D

I N T E R O F F I C E   C O R R E S P O N D E N C E

TO:            Arnold Jablon, Director  
              Department of Permits & Development  
              Management

Date:   December 24, 1998

FROM: *Sub* Robert W. Bowling, Supervisor  
              Bureau of Developer's Plans Review

SUBJECT:   Zoning Advisory Committee Meeting  
              for December 23, 1998  
              Item Nos. 222, 223, 224, 225, 226,  
              227, 228, 229, 231, 232, 233, 234,  
              and 235

AND

Revised Petitions and Plats for  
Case #99-159-XA (8101 Bellona Avenue)

The Bureau of Developer's Plans Review has reviewed the subject zoning items and revised petitions and plats, and we have no comments.

RWB:HJO:jrb

cc:   File

ZONE1223.NOC



Baltimore County  
Fire Department

Office of the Fire Marshal  
700 East Joppa Road  
Towson, Maryland 21286-5500  
410-887-4880

December 11, 1998

Arnold Jablon, Director  
Zoning Administration and Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF December 14, 1998

Item No.: See Below

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

223, 224, 225, 226, 227, 228, 229, 231, 234, and 235

REVIEWER: LT. HERB TAYLOR  
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



**BALTIMORE COUNTY, MARYLAND**  
**INTER-OFFICE CORRESPONDENCE**

**TO:** Arnold Jablon, Director  
Department of Permits  
and Development Management

**Date:** December 15, 1998

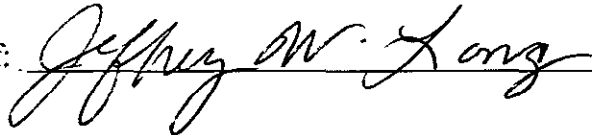
**FROM:** Arnold F. 'Pat' Keller, III, Director  
Office of Planning

**SUBJECT:** Zoning Advisory Petitions

The Office of Planning has no comment on the following petition (s):  
Item No (s): 218, 220, 223, 224, 225, 226, 227, 228, 231, and 232

If there should be any questions or this office can provide additional information, please  
contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief:

A handwritten signature in cursive script, reading "Jeffrey W. Long", written over a horizontal line.

AFK/JL



**Maryland Department of Transportation**  
**State Highway Administration**

Parris N. Glendening  
Governor

David L. Winstead  
Secretary

Parker F. Williams  
Administrator

Date: 12.11.97

Ms. Gwen Stephens  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 226

JRA

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

Per Michael M. Lenhart, Acting Chief  
Engineering Access Permits Division

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717  
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

# Plat to accompany Petition for Zoning

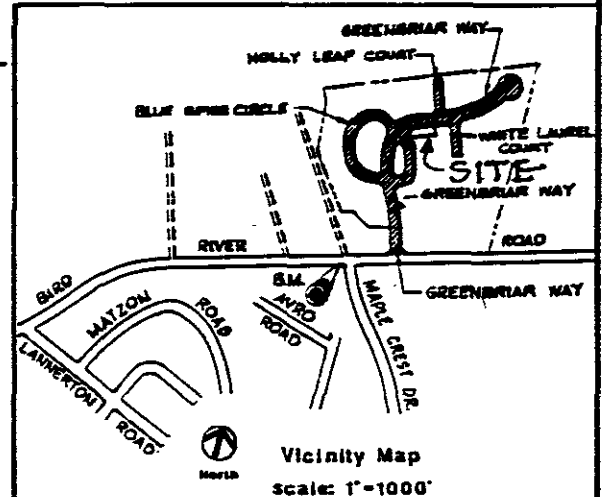
☒ Variance  
☐ Special Hearing

PROPERTY ADDRESS: #33 GREENBRIAR WAY

Subdivision name: GREENBRIAR AT WHITE MARSH

plat book# 69, folio# 135, lot# 84, section# N.A.

OWNER: BIRD RIVER L.L.C.



## LOCATION INFORMATION

Election District: 15

Councilmanic District: 6

1"=200' scale map#: N.E. 61

Zoning: DR 3.5

Lot size: 0.10 ac. 4432 S.F.  
 acreage square feet

SEWER: ☒ public ☐ private  
 WATER: ☒ ☐  
 Chesapeake Bay Critical Area: ☐ yes ☒ no

Prior Zoning Hearings:

**NONE ON LOT 84**

## Zoning Office USE ONLY!

reviewed by: ITEM #: CASE#:

5007 226 99-226-SPHA

**99-226-SPHA**

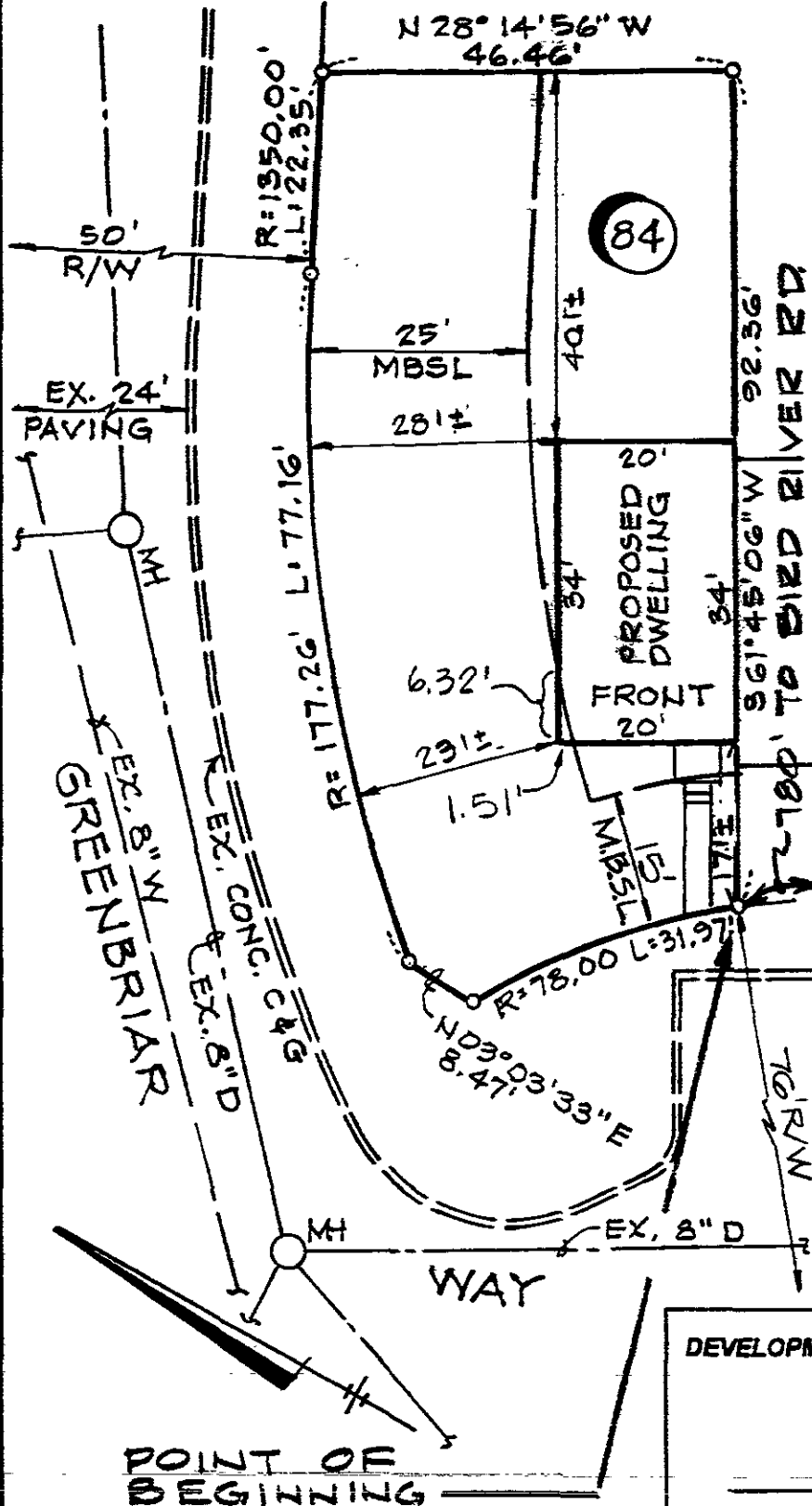


## DEVELOPMENT ENGINEERING CONSULTANTS, INC.

6603 York Road  
 Baltimore, Maryland 21212  
 (410) 377-2600

Scale: 1" = 20'

Issued: NOV. 11, 1998



PREPARED BY: ERA



ML-1M

BALTIMORE COUNTY ZONING MAP  
MIDDLE RIVER VICINITY  
MAP N.E. 6-I & N.E. 5-I, 1"=200'

D.R. 3.5

#33 GREENBRIAR WAY

D.R. 3.5

DR.5.5

BLUE SPIRE CIRCLE

WAY

GREENBRIAR

D.R. 3.5

POINT OF  
BEGINNING

COURT

WHITE LAUREL  
COURT

HOLLY LEAF  
COURT

D.R. 3

D.R. 3.5

ROAD

RIVER

MAPLE

99-226-SPHA  
MLR-

226.